

So I hope that my colleagues will not continue to play games and will support Ambassador Lu's confirmation this evening.

Similarly, it is unthinkable that the State Department's intelligence office, the Bureau of Intelligence and Research, or as we know it as INR, remains without senior leadership.

INR is an invaluable resource for the Secretary of State's senior officials and, indeed, all of the dedicated foreign policy professionals who serve our Nation so well and so tirelessly. It needs a confirmed leader in place that can help the Department understand the intelligence information that is out there that helps us instruct, in terms of foreign policy choices. So I am asking my Republican colleagues to permit confirming Brett Holmgren today.

Shifting to Haiti, last month I came to the floor to highlight the challenges that we face in our own hemisphere and the impact of regional instability on U.S. national security and our citizens' safety.

Already, the situation is more urgent than when I raised it. In August, a massive earthquake in Haiti killed more than 2,200 people, injured 12,000 more, destroyed tens of thousands of buildings. A coordinated international response is urgently needed.

This new emergency follows the assassination of Haiti's President and mounting crises in the region, unprecedented protests, and widespread repression in Cuba, a brutal regime crackdown in Nicaragua, and an expansive political and humanitarian refugee crisis in Venezuela.

COVID-19 continues to inflict severe social and economic consequences on countries across the region, and there are the enduring security and governance challenges in Central America that fuel irregular migration.

We need urgently qualified nominees in leadership positions to address these crises.

With an extensive experience in the Americas, Ambassador Brian Nichols, a career Foreign Service Officer, will skillfully advance U.S. national interests as the Assistant Secretary for Western Hemisphere Affairs.

Similarly, Marcela Escobari, who served as Assistant Administrator for Latin America's USAID in the Obama administration, will bring unique expertise to the position if confirmed again today. In 2016, the Senate confirmed her by voice vote—voice vote. We need her in place and should move her again today.

It is scandalous that these nominees and many others are being held up for reasons completely unrelated to them and the positions they will hold. Such irresponsible behavior jeopardizes our national security, and we must act today.

So let me start by asking, first, unanimous consent that the Senate proceed to the consideration—Madam President, I will reserve the opportunities to ask for these consents and wait

for one of our colleagues to appear on the floor.

At this time, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, pursuant to the comments I was just making a few minutes ago, let me move directly to my request. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 335, Donald Lu to be Assistant Secretary of State for South Asian Affairs, and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. CRUZ. Madam President.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I want to make a few remarks on Senator MENENDEZ's request for unanimous consent on the nomination of Donald Lu to be Assistant Secretary of State for the Bureau of South and Central Asian Affairs and also on the nomination of Brett Holmgren to be the Assistant Secretary of State for Intelligence and Research.

The reality is that had these nominees been confirmed in August, they would have done nothing to stop the administration's disastrous withdrawal from Afghanistan.

President Biden bears responsibility for the catastrophe that has unfolded in Afghanistan. President Biden repeatedly ignored reasonable advice and the intelligence on what was happening on the ground in the runup to the disastrous withdrawal.

He abandoned the Bagram Airfield well before August, setting the stage for the chaos at the Kabul airport. He wasn't even listening to his staff on what needed to be done on Afghanistan.

Instead, he imposed an arbitrary deadline for political purposes, with disastrous results.

I am not going to object to consent on this individual, Mr. Lu, and on Mr. Holmgren, in a moment, that Senator MENENDEZ will ask for, but let's be clear. The administration has tried to play a blame game to deflect blame for their absolute failure to conduct a reasonable and rational drawdown, to deflect blame for President Biden's decision to abandon Bagram to the Taliban, to deflect blame for President Biden's indefensible decision to give the Taliban a list of names of Americans and Afghans who are now very

much in harm's way and in jeopardy because of the foolishness and the manifest incompetence of this administration.

None of the nominees I have holds on would have made one difference in what happened in Afghanistan. And it is difficult to believe that even my Democratic colleagues believe, political talking points notwithstanding, how, for instance, the Assistant Secretary for Educational and Cultural Affairs could have stopped President Biden from gift-wrapping Bagram Airfield and giving it to the Taliban.

It is also important to provide a little bit of background on why these holds are in place in the first place.

President Biden is not following the law. He is refusing to follow the law which mandates the imposition of sanctions on Nord Stream 2. Those sanctions had succeeded, had halted Nord Stream 2 in its place, and President Biden transformed an incredible foreign policy victory into an incredible foreign policy defeat.

When President Biden came into office, he willfully and brazenly disregarded the law, and he allowed Nord Stream 2 to continue on its road to completion, which was, in effect, a multibillion-dollar gift to Vladimir Putin at the expense of Europe's security and at the expense of American national security.

However, there is still time to stop Nord Stream 2 if we act quickly. A pipeline that isn't 100 percent complete is effectively zero percent complete. And I am not going to stop working to halt Nord Stream 2 to stop Russia and to prevent Vladimir Putin from economically blackmailing our European allies and threatening American jobs.

These consents—and, more broadly, what the administration is engaged in—is a blame game trying to distract blame from their own actions. But it is worth noting that I have offered to lift my holds from the beginning. And, indeed, over a month ago, I extended the offer to Treasury Secretary Yellen, to the National Security Advisor in the White House, and to Senator MENENDEZ that I would lift these holds—lift the holds on Treasury nominees and lift the holds on State Department career nominees if the administration either imposed sanctions under CAATSA, the Countering American Adversaries Through Sanctions Act, or if they waived those sanctions in such a way that it would trigger Congress having an override vote.

On August 5, I extended that offer directly to Secretary Yellen. Unfortunately, the administration hasn't acted on it. They have decided that their policy of gift-wrapping a multibillion-dollar pipeline for Vladimir Putin and Russia was so important that they wanted to deny Congress even a vote on it under CAATSA.

CAATSA was passed for precisely these circumstances—for an administration that refused to follow U.S. law

and refused to comply with tough sanctions on Russia. That is what the advocates of CAATSA argued. This is a mechanism to force an administration to obey U.S. law and stand up to Russia.

Now, at the time, the Democrats believed they were speaking about the Trump administration, but the principles behind CAATSA apply equally to Joe Biden's defying the law and giving this gift to Vladimir Putin at the expense of U.S. national security interests.

This administration has had a path for months to clear these nominees. It has declined to exercise that path. That path remains before it, nonetheless, because this nominee and the next one are directly relevant to cleaning up the mess that the Biden administration has made in Afghanistan.

I do not object.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Donald Lu, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Assistant Secretary of State for South Asian Affairs.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Lu nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I clearly do not share the views of my colleague from Texas, but for the sake of the Senate's work, I will reserve responding to it for another time.

EXECUTIVE CALENDAR

Mr. MENENDEZ. I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 150, Brett M. Holmgren, to be an Assistant Secretary of State for Intelligence and Research, and that the Senate vote on the nomination without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object for the same reasons I just articulated—that this position, as with the previous one, is

directly related to trying to clean up the mess, the disaster that the Biden administration has created in Afghanistan.

I intend not to object to this nomination.

The remaining holds remain in place, and the administration can lift the Treasury hold and the career state holds anytime they want by following the law under CAATSA and either imposing sanctions or, if they don't want to impose sanctions on Russia, triggering a vote in Congress so that this body can decide whether or not sanctions could be imposed on Russia. The administration has had that option in front of it for many weeks. It still has that option.

I do not object.

The PRESIDING OFFICER. Are there any further objections?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Brett M. Holmgren, of Minnesota, to be an Assistant Secretary of State (Intelligence and Research)?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 322, Brian A. Nichols, to be an Assistant Secretary of State for the Western Hemisphere, and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to object, I lifted my hold on this nominee a number of weeks ago, and for that reason, I do not object.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Brian A. Nichols, of Rhode Island, a Career Member of the Senior Foreign Service, Class of Career Minister, to be an Assistant Secretary of State (Western Hemisphere Affairs).

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Nichols nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table, all without any intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from New Jersey.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. MENENDEZ. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 323, Marcela Escobari, to be Assistant Administrator of the United States Agency for International Development, and that the Senate vote on the nomination without any intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Texas.

Mr. CRUZ. Madam President, reserving the right to be object, as I described minutes ago, the Biden administration is in outright defiance of Federal law. An overwhelming bipartisan majority of the Senate and the House have passed tough sanctions on Russia—sanctions that work; sanctions that shut down the Nord Stream 2 pipeline for a year. But when President Biden came into office, he chose to override Federal law and instead to give a multibillion-dollar gift to Vladimir Putin in Russia. That decision is a generational geopolitical mistake. It harms U.S. national security interests, it benefits Russia, and it hurts Europe.

Moreover, my hold on these nominations, I have expressed to the administration in writing and orally over a month ago. They have a path to lifting the hold on the Treasury Department nominees and the career State Department nominees simply by either enforcing sanctions under CAATSA on Russia or overriding those sanctions and triggering a vote in this body where Members of this body can register our views on whether Joe Biden is correct in giving this multibillion-dollar gift to Vladimir Putin that undermines our national security.

Accordingly, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Madam President, it is unfortunate that this last nominee is objected to. This particular position—we are talking about Haiti. We are talking about having an Assistant Administrator that can help us restore the tragic situation in Haiti to a place in which people can live and won't seek migration to the United States.

When we are talking about what is happening in the Western Hemisphere, in Venezuela, where there is a huge humanitarian set of refugees leaving; when we talk about what is happening